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Owner Dept: HR  
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## Policies and Procedures

**Title: Workplace Violence Prevention and Response**

**Purpose:** The University of North Carolina at Asheville seeks to create and maintain a workplace that is safe, supportive, productive and free from violence. Violence, threats, intimidation and possession of unauthorized weapons are inconsistent with this objective and are prohibited by this Policy.

**Scope:** This policy applies to all members of the University community, and to the conduct of an employee, whether performing his/her job duties or displaying off-duty violent conduct that has a potential adverse impact on a State employee's ability to perform his or her assigned duties and responsibilities. Alleged infractions of this policy by students will be addressed through the Student Code of Community Standards.

Harassment based on race, color, religion, creed, sex, national origin, age, or disabling condition is addressed in the University's Unlawful Workplace Harassment Policy, #96.

Preventing, investigating and resolving allegations of sexual harassment are addressed in the University's Sexual Harassment Policy, #49.

**Policy: It is the policy of UNC Asheville to promote safety in the University environment and to prohibit violence or the threat of violence in the workplace.**

### Definitions:

1. **Workplace Violence** – includes, but is not limited to, intimidation, threat, or attack, as well as domestic violence, or property damage. It includes acts of violence committed by State employees, students, clients, customers, relatives, acquaintances or strangers against State employees in the workplace.
2. **Intimidation** – actions including, but not limited to stalking, or behavior intended to frighten, coerce, or induce distress.
3. **Bullying** – unwanted offensive and malicious behavior which undermines an individual or group through persistently negative attacks. There is typically an element of vindictiveness and the behavior is calculated to undermine, patronize, humiliate, intimidate or demean the recipient.
4. **Stalking** – involves harassing or pestering an individual, in person, in writing, by telephone or electronic format. Stalking also involves following an individual, spying on them, alarming the recipient or causing them distress and may involve violence or the fear of violence.
5. **Threat** – the expression of intent to cause physical or mental harm. An expression constitutes a threat without regard to whether the party communicating the threat has the ability to carry it out and without regard to whether the expression is contingent, conditional or future.
6. **Physical Attack** – unwanted or hostile physical contact such as hitting, fighting, pushing, shoving or throwing objects.

7. **Domestic Violence** – the use of abusive or violent behavior, including threats and intimidation, between people who have an ongoing or prior intimate relationship. This could include people who are married, live together or date, or who have been married, lived together or dated in the past.
8. **Property Damage** – the intentional damage, or collateral damage that occurs while committing violent acts, to property and includes property owned by the State, employees, visitors or vendors.

**I. Prohibited Actions and Sanctions** - It is a violation of this policy to:

- A. Engage in workplace violence;
- B. Use, possess or threaten to use any weapon on campus, unless specifically authorized by Campus Police as falling under one of the categories where State law allows its possession;
- C. Misuse authority vested to any employee of the University in such a way that it violates this policy; or
- D. Retaliate against any employee who, in good faith, reports a violation of this policy. Every reasonable effort will be made to protect the safety and anonymity of anyone who comes forward with concerns about a threat or act of violence.

A violation of this policy will be considered (1) unacceptable personal conduct as provided in the Disciplinary Action, Suspension and Dismissal Policy and (2) misconduct as defined by Section 603 of The Code of the UNC Board of Governors, and may be grounds for disciplinary action up to and including dismissal. An act of off-duty violence may also be grounds for disciplinary action, up to and including dismissal. When disciplinary action for off-duty conduct is taken, the University will base this decision on a rational connection between the type of violent conduct committed and the potential adverse impact on a State employee's ability to perform the assigned duties and responsibilities.

*Advisory Note: When a threat has been reported or the university determines that a potential for violence exists, the university may require an employee to undergo an assessment to determine the risk of danger. The Employee Assistance Program will assist the University by serving as an appropriate resource for this assessment.*

**II. Authorized Exceptions to Policy** – An employee may possess a weapon *while on the job* if possession is:

- A. In compliance with North Carolina law
- B. Authorized by the agency/university head or his/her designee
- C. Used by an employee who is a certified law enforcement officer
- D. Required as a part of the employee's job duties with the State of North Carolina, or
- E. Connected with training received by the employee in order to perform the responsibilities of his/her job with the State of North Carolina.

III. **University Responsibilities** - UNC Asheville seeks to create and maintain a campus environment that is safe, supportive, productive and free of violence. The University has a responsibility to address any form of violence by one member of the university community against another. To this end, the University will:

- A. Create and maintain a workplace violence policy and procedures designed to prevent and manage workplace violence.
- B. Disseminate the policy during new employee orientation sessions, and make it available on the University's policy web page.
- C. Provide training for employees in recognizing signs and symptoms for the potential for violence in the workplace and in implementing response procedures.
- D. Foster a climate that encourages employees to report incidents of violence without fear of retaliation.
- E. Appoint and maintain a Workplace Violence Prevention/Threat Assessment Team to address potential or actual incidents of workplace violence on campus and to ensure that educational training is provided to the campus community on an ongoing basis.

1. The team will consist of the following individuals:

- a. Director of Public Safety (chair)
- b. Chief of Staff
- c. Chair of Care & Crisis Team (Dean of Students)
- d. Associate Director of Health & Counseling
- e. Director of Employee Relations, or Human Resources designee
- f. Legal Counsel
- g. Academic Affairs Representative
- h. Depending on the circumstances, the Team may determine others to be helpful or necessary. Examples include: Director of News Services, an Academic Dean, and/or the Director of the Intercultural Center.

2. The Workplace Violence Prevention/Threat Assessment Team will:

- a. Undergo annual training to prepare for potential incidents of workplace violence. Individuals who are not specifically on the Team but who are likely to be included in a Workplace Violence Threat Assessment will also be asked to participate in this training annually [Director of News Services, an Academic Dean, and/or the Director of the Intercultural Center].
- b. Convene in the event of a workplace violence incident and recommend a plan of action to the Vice Chancellor responsible for the area in which the incident has occurred. Any member of the Team may convene a meeting when knowledge of an incident or threat occurs.
- c. Coordinate with the University's News Services Office to inform the public, employees and families on incidents of workplace violence, when appropriate.
- d. Undertake a periodic review of Team response protocol, and assure that new Team members are appropriately oriented to current practices.

- e. Conduct investigation and post-incident analysis to ensure that appropriate policies and procedures were followed and appropriate actions are taken.
- f. Coordinate with Campus Safety Committee to make recommendations on safety issues that have an impact on employees.

The University will make reasonable efforts to protect victims or potential victims of workplace violence, for example, by offering victims temporary security measures and special accommodations or adjustments to their work schedule, location or working conditions in order to enhance their safety. The University will work closely with the victims and the accused to ensure that the rights and needs of the victims, the accused and the University are addressed.

The Threat Assessment Team may also advise supervisors, co-workers and colleagues in how best to offer support to the victims and/or the accused perpetrators of workplace violence. Examples of such support may include encouragement to use the services of the Employee Assistance Program or taking advantage of available leave time for medical, court, or counseling appointment. Appropriate leave options include: Flex Scheduling, Vacation Leave, Sick Leave, Bonus Leave and/or Leave with or without pay.

**IV. Employee, Supervisor and Campus Community Responsibilities** – It is the responsibility of every member of the University community to report violence or the threat of violence immediately. This report should be made to Campus Police.

An employee who believes that he or she has been the target of workplace violence should report the incident immediately to the Director of Public Safety at 251-6710. In emergency situations, the employee should dial Campus Police at 251-6710 or dial 911 for Emergency Medical Response (on a campus phone, dial 9-911).

All incidents of workplace violence, whether or not a violation of law, should be reported and documented as soon as possible to the Director of Public Safety and to the reporting individual’s immediate supervisor; if the immediate supervisor is the alleged perpetrator, the incident should be reported to the next higher level of supervision.

The Office of Human Resources will coordinate submission of all workplace violence and statistical reports to the Office of State Personnel.

All employees are encouraged to be alert to the possibility of violence on the part of employees, former employees, students, customers and visitors to our campus. Employees should place safety as their highest concern and should report all acts of violence or threats of violence. All reports of violence will be handled in a confidential manner, with information released only on a need-to-know basis. The University will be sensitive and responsive to the reporting employee’s fear of possible reprisal.

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